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Magistrate Judge Brian A. Tsuchida

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UNITED STATES DISTRICT COURT FOR THE
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

UNITED STATES OF AMERICA,
 Plaintiff
 v.
 BRIAN LOPEZ
 Defendant.

CASE NO. MJ24-287

COMPLAINT for VIOLATION

Title 21, United States Code,
 Sections 841(a)(1) and 841(b)(1)(C) and
 Title 18, United States Code, Section 2.

BEFORE, Brian A. Tsuchida, United States Magistrate Judge, U. S. Courthouse,
 Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(Possession of Controlled Substances with Intent to Distribute)

On or about May 14, 2024, in Kent, within the Western District of Washington,
 and elsewhere, the defendant BRIAN LOPEZ, did knowingly and intentionally possess
 with intent to distribute, and aid and abet the possession of, with the intent to distribute
 methamphetamine, cocaine, and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
 propanamide (fentanyl)] substances controlled under Title 21, United States Code.

Complaint - 1
United States v. Brian Lopez, MJ24-287

UNITED STATES ATTORNEY
 700 STEWART STREET, SUITE 5220
 SEATTLE, WASHINGTON 98101
 (206) 553-7970

1 All in violation of Title 21, United States Code, Section 841(a)(1).

2 And the complainant states that this Complaint is based on the following
3 information:

4 I, SALVATORE GIAMPAPA, being first duly sworn on oath, depose and say:

5 **AGENT BACKGROUND AND INTRODUCTION**

6 1. I am employed as a Special Agent (SA) with the United States Drug
7 Enforcement Administration (DEA) and have been so employed since August 2020. I
8 am currently assigned to the Seattle Field Division. In this capacity, I investigate
9 violations of the Controlled Substance Act, Title 21, United States Code, Section 801 *et*
10 *seq.*, and related offenses. I have received specialized training in the enforcement and
11 investigation of the Controlled Substance Act. I have received over 620 hours of
12 classroom training on topics including, but not limited to, drug identification, drug
13 interdiction, detection, money laundering techniques and schemes, smuggling, and the
14 investigation of individuals and/or organizations involved in the illegal possession,
15 possession for sale, sales, importation, smuggling, cultivation, manufacturing, and illicit
16 trafficking of controlled substances. Prior to becoming a SA with the DEA, I was
17 employed as an Officer in the United States Coast Guard from May 2015 to August
18 2020. In that capacity, I enforced maritime law, responded to emergencies, and
19 preserved and protected people and property. During this time, I was trained and
20 involved in investigations of criminal offenses including, but not limited to, narcotics,
21 smuggling, and DUI.

22 2. In my role as a SA for the Drug Enforcement Administration, I have
23 participated in narcotics investigations (i.e., heroin, cocaine, marijuana, and
24 methamphetamine) which have resulted in the arrest of individuals and the seizure of
25 illicit narcotics and/or narcotic-related evidence and the forfeiture of narcotics-related
26 assets. I have been involved in the service of search warrants as part of these
27 investigations. Because of my experience in serving these search warrants, I have

1 encountered and have become familiar with various tools, methods, trends,
2 paraphernalia, and related articles utilized by various traffickers in their efforts to
3 import, conceal, and distribute controlled substances. I am also familiar with the various
4 methods of packaging, delivering, transferring, and laundering drug proceeds.
5 Additionally, through my training and experience, I can identify illegal drugs by sight,
6 odor, and texture.

7 3. I have participated in the debriefing of defendants, witnesses, and
8 informants, during which I have discussed with them their methods of drug smuggling,
9 distribution, packaging, trafficking, avoiding law enforcement, and laundering proceeds,
10 among other concerns related to drug trafficking. I have discussed and learned from
11 other law enforcement investigators in regard to these matters as well.

12 4. In addition to practical experience, I have received formal training in
13 controlled substances enforcement. This includes training regarding controlled substance
14 recognition, field testing, undercover investigations, telecommunications analysis,
15 surveillance techniques, financial investigations, and clandestine laboratories.

16 5. The facts set forth in this affidavit arise from my personal and direct
17 participation in the investigation, my experience and training as an FBI Special Agent,
18 my conversations with witnesses and other law enforcement personnel, including
19 consultations with other agents participating in this and related investigations, and my
20 review of relevant documents and reports. I have not included every fact known to me or
21 other investigative personnel concerning this investigation. My specialized training and
22 experience in drug investigations as well as the assistance and input of experienced
23 fellow investigators, form a basis for my opinions and conclusions, which I drew from
24 the facts set forth herein.

25 6. As set forth below, there is probable cause to believe that defendant Brian
26 LOPEZ, committed the count alleged above. Since this affidavit is being submitted for
27 the limited purpose of establishing probable cause, I have not included every fact known

1 concerning this investigation. I have set forth only the facts I believe are essential for a
 2 fair determination of probable cause.

3 **SUMMARY OF PROBABLE CAUSE**

4 9. The United States is conducting a criminal investigation of a regional Drug
 5 Trafficking Organization (“DTO”) believed to be supplied by a Mexico-based DTO.
 6 Investigators are referring to this regional DTO as the “Jay Thrax DTO.” The Jay Thrax
 7 DTO is believed to pick of narcotics in the Los Angeles and Phoenix areas and traffic
 8 the narcotics to the Seattle area for redistribution. The targets of this investigation
 9 include Hector Jacobo Duran Aldaco (aka Jay Thrax), Damian Pina-Raymundo, Daniel
 10 Moreno, Rogelio Pena, David Padilla, Alexander Ortiz, Neldin Licona Rivera,
 11 Alexander Kemp, Bryan Gonzalez-Gutierrez, Sebastian Rojas, Brian Pedraza Cisneros,
 12 Jose Rodolfo Aguilar Cortes, Salina Atsement, Maycol Falcon Delgado, and others both
 known and unknown.

13 10. During this investigation, investigators obtained authorization to intercept
 14 wire and electronic communication over traditional cell phones and social media
 15 accounts, tracking warrants and pen registers for numerous cell phones. Investigators
 16 have also obtained search warrant to search the social media accounts of various
 17 individuals involved in the Jay Thrax DTO.

18 11. On November 4, 2023, The Honorable District Judge John H. Chun signed
 19 an order authorizing the wiretap of the snapchat account “j.thraxio” (hereinafter “Target
 20 Account 1” or “TA1”) which agents believe is being used by Hector Duran Aldaco.¹ On
 21 November 5, 2023, investigators began receiving intercepts of Target Account 1. The
 22 interceptions period ended on December 4, 2023.

23 12. On November 24, 2023, The Honorable District Judge John H. Chun signed
 24 an order authorizing the interception of wire communications over of the (323) 961-9663
 25

26 ¹ Agents believe that Duran Aldaco is the user of TA1 based on subscriber information received from Snapchat,
 27 information received from confidential sources throughout this investigation, and data and records obtained from
 Snapchat after the execution of two search warrants on TA1.

1 (hereinafter “TT40”). Investigators believe that TT40 was² a phone used by Duran
 2 Aldaco as he provided the phone number to an individual to call him over Target
 3 Account 1 during the discussion of a narcotics transaction. On November 25, 2023,
 4 investigators began receiving the wire intercepts of TT40. The interceptions were
 5 terminated on December 15, 2023.

6 13. On February 1, 2024, The Honorable District Judge John H. Chun signed
 7 an order authorizing the interception of wire communications over of the (323) 678-8539
 8 (hereinafter “TT63”), believed to be used by Hector Duran Aldaco, and (206) 782-2784
 9 (hereinafter “TT50”), believed to be used by David PADILLA³, as well as Snapchat
 10 accounts “J.thraxio” (hereinafter “TA1”) and “Toosmoove2x23” (hereinafter “TA35”),
 11 believe to be used by Rogelio PENA⁴. Investigators began receiving interceptions of
 12 TT63 and TT50 on February 2, 2024 and began receiving interceptions of TA1 and TA35
 13 on February 5, 2024. Interceptions terminated on March 1, 2024 for TT63 and TT50 and
 14 on March 4, 2024 for TA1 and TA35.

15 14. On February 23, 2024, The Honorable District Judge John H. Chun signed
 16 an order authorizing the interception of wire communications over of the 253-398-0204
 17 (hereinafter “TT15”), believed to be used by Damian Pina-Raymundo⁵. Investigators
 18 began receiving interceptions of TT15 on February 24, 2024. Interceptions terminated on
 19 March 4, 2024.

20 15. During the first round of intercepts over of TA1, investigators intercepted a
 21 video on November 6, 2023 at 2:15 pm (Session #491), showing an individual identified
 22

22 ² Agents believe that on December 24, 2023, Duran Aldaco deactivated TT40 and based on toll analysis began to
 23 use 323-678-8539 (hereinafter “TT63”) as set forth in this affidavit it is believed that Duran Aldaco has begun to use
 24 TT80.

25 ³ Investigators determined David PADILLA as the user of TT50 based on subscriber information, and surveillance
 26 on PADILLA, whose observed movements matched those of the GPS pings for TT50.

27 ⁴ Investigators determined PENA was the user of TA35 based on numerous photos intercepted between TA1 and
 28 TA35, subscriber information on TA35 which shows the date of birth listed for TA35 matches that of PENA and
 29 that TT35 was listed as the verified phone number for TA35. Investigators determined PENA as the user of TT35
 30 through surveillance of PENA, whose movements matched the GPS data for TT35.

31 ⁵ Investigators determined PINA-RAYMUNDO as the user of TT15 based on the controlled purchase of evidence
 32 through the use of a CI which was arranged over TT15 and which PINA-RAYMUNDO sold the narcotics. .
 33 Additionally, investigators verified through surveillance of PINA-RAYMUNDO and tracking of TT15.

1 as Sebastian Esquivel Rojas from his WA DOL photo brandishing a firearm. In the
 2 background of that video investigators observed LOPEZ as identified by his DOL photo.
 3 Additionally, investigators conducted surveillance later the same day and observed Brin
 4 LOPEZ accompanying Hector Duran Aldaco, Rojas and a fourth unidentified Hispanic
 male.

5 16. On November 6, 2023, at 10:18 am (session #329), Hector Duran Aldaco
 6 sent a message from TA1 to an account with the username “railroadbrian” (TA9). Prior to
 7 the authorization to intercept wire and electronic communications over TA1,
 8 investigators submitted a 2703(d) to Snap Inc. for subscriber information and tolls for
 9 TA9 on May 26, 2023. The records show that the subscriber using TA9 had a date of
 10 birth listed as the exact same date of birth for LOPEZ. The subscriber information also
 11 listed 206-830-8504 (hereinafter “TT2”)⁶ as the verified⁷ phone number associated with
 12 that account. Additionally, as discussed above, the Washington DOL for LOPEZ is 604
 13 Railroad Avenue South, Kent, Washington 98032 (hereinafter “**Subject Premises 2**”)
 14 which is located on *Railroad* Avenue. Given the commonality between TA9’s username
 15 (“*railroadbrian*”) with LOPEZ’s name and address I believe this indicates that LOPEZ is
 16 the user of TA9. The below is a transcript of the conversation between TA9 and TA1 on
 17 November 12, 2023:

18 LOPEZ: “Let me work w those no ay pa tomar ahorita huh [there isn’t any to drink
 19 right now]” (5:02 pm, Session #5599)

20 Hector Duran Aldaco: “Ahorita no ahi nada pri hasta Tuesday [not right now,
 21 there is nothing there until Tuesday, cousin]” (5:26 pm, Session #5595)

22 LOPEZ: “Yupp” (5:27 pm, Session #5604)

23
 24
 25 ⁶ During the investigation, agents believe that TT2 is used by LOPEZ based on subscriber records that have TT2
 26 subscribed to LOPEZ at Subject Premises 2, additionally agents observed that the court authorized GPS tracking of
 TT2 was consistent with the movements of LOPEZ through surveillance.

26 ⁷ According to Snapchat, a verified phone number on a Snapchat account occurs when the user authenticates that
 27 number as associated to the account via a text message or phone call to the number itself. Additionally, a verified
 phone number can only be linked to a single specific Snapchat account at a time.

1 Hector Duran Aldaco: “U got the rest of the funds [money] I’m leaving OT [out of
 2 town] manana [tomorrow]” (5:27 pm, Session #5598)

3 LOPEZ: “I’m low still I can toss you some tm [tomorrow] fs [for sure] I haven’t
 4 got nun [nothing] together like that” (5:27 pm, Session #5601)

5 17. Hector Duran Aldaco: “You good just get me when u can we’ll have shit
 6 [narcotics] soon” (5:31 pm, Session #5675).

7 18. I know, based on my training and experience that “work” is a common
 8 word used by narcotics traffickers to indicate a request to be supplied controlled
 9 substances to subsequently sell them. I believe that when LOPEZ asked Hector Duran
 10 Aldaco for “work” he was asking Hector Duran Aldaco for controlled substances, but
 11 Hector Duran Aldaco replied that he was out. I believe, based on my training and
 12 experience that when Hector Duran Aldaco asked about “funds” he was inquiring as to
 13 whether LOPEZ had the money that he owed Hector Duran Aldaco from a previous
 14 narcotics transactions. I believe, based on my training and experience, that when Hector
 15 Duran Aldaco stated “we’ll have shit soon” he was telling LOPEZ that Hector Duran
 16 Aldaco was going to have a supply of controlled substances in the near future.

17 19. On February 11, 2024, at approximately 6:42 p.m. investigators intercepted
 18 calls on TT63 between Hector Duran Aldaco and Daniel Dickson who was using 360-
 19 720-6101 (hereinafter “Target Telephone 54” or “TT54”) (Session #259. The
 20 conversation was in English:

21 Hector Duran Aldaco: Yo

22 Dickson: What’s up? Can I grab one [one quantity of narcotics]?

23 Hector Duran Aldaco: Yeah. I gotchu and, whatever is missing I gotchu too.

24 Dickson: A’ight. Yeah because I’m probably gonna hit you again tonight cuz,
 25 like, my phone keep blowing up.

26 Hector Duran Aldaco: Ok sounds good.

27 Dickson: How long?

1 Hector Duran Aldaco: Uhh, let me get it ready [audio glitched] Like the next hour
2 or less.

3 Dickson: A'ight, well, I'll be at the uh, skating rink like around 7:30.

4 Hector Duran Aldaco: A'ight, yeah that's perfect.

5 Dickson: A'ight gotchu.

6 20. I believe, based on my training and experience, that Dickson called Hector
7 Duran Aldaco and asked for a quantity of narcotics. I further believe that Hector Duran
8 Aldaco told Dickson that he would work on getting the drugs ready, and would have it
9 ready in the next hour or less, and Dickson responded that he would be at the skating rink
around 7:30 p.m.

10 21. Shortly after the above-described conversation, starting at approximately
11 8:05 pm investigators intercepted the below conversation on TA1 between Hector Duran
12 Aldaco and LOPEZ using TA9.

13 Hector Duran Aldaco: Way (Session 25324)

14 LOPEZ: Pullin up (Session 25321)

15 LOPEZ: Like 5 out (Session 25333)

16 Hector Duran Aldaco: Hit the skating ring here in fed first (Session 25330)

17 Hector Duran Aldaco: For the full one (Session 25326)

18 LOPEZ: Ok (Session 25322)

19 LOPEZ: I got you (Session 25328)

20 22. At approximately 8:08 pm (Session 260), investigators intercepted a call
21 made from Hector Duran Aldaco on TT63 to Daniel Dickson on TT54. Hector Duran
22 Aldaco asked Dickson if he was at the skating rink. Dickson said he was, and Hector
23 Duran Aldaco said "my homie is gonna be in a Honda Accord." Dickson acknowledged
24 and ended the call.

25 23. At approximately 8:17 pm (Session 261) investigators intercepted another
26 call made from Hector Duran Aldaco using TT63 to Dickson at TT54 and told Dickson
27 his "homie" was there in a silver Honda Accord.

1 24. At approximately 8:27 pm, (Session 266), investigators intercepted another
 2 call made from Hector Duran Aldaco using TT63 to Dickson at TT54 and asked Dickson
 3 if he had connected with Hector Duran Aldaco's guy. Hector Duran Aldaco clarified
 4 where the silver Honda was in the lot. Dickson said he was going to walk over there.
 5

6 25. At approximately 8:44 pm, (Session 271), Dickson using TT54 called
 7 Hector Duran Aldaco at TT63 and said "did you see what I sent you?" Hector Duran
 8 Aldaco said he was checking and then asked what Dickson sent. Dickson said "it was
 9 only like 1752." Hector Duran Aldaco clarified and said he would check and call him
 10 back. Dickson said he might call him back because he was going to need another two.
 11

12 26. I know based on my training and experience that a "full one" often refers to
 13 an amount of narcotics, most often a large amount such as a kilogram. I believe, based on
 14 my training and experience, that Duran Aldaco directed LOPEZ to deliver narcotics to
 15 Dickson on his behalf at the skating ring, as Dickson had previously indicated where he
 16 was going to be. I further believe that Hector Duran Aldaco coordinated with Dickson as
 17 to where he should meet LOPEZ in the skating rink parking lot. Investigators were
 18 unable to arrive at the location in time to observe the meeting with LOPEZ, but they later
 19 observed Dickson at that same location.
 20

21 27. On May 10, 2024, the Honorable Brian A. Tsuchida, United States
 22 Magistrate Judge, authorized a search warrant for Subject Premises 2. On May 14, 2024,
 23 agents searched Subject Premises 2. During a search of the residence, investigators
 24 searched a bedroom believed to be Brian LOPEZ' as it contained a driver's license for
 25 Brian LOPEZ on the bed, mail addressed to Brian LOPEZ, as well as for others.
 26 Investigators also located approximately one ounce of cocaine, two ounces of meth and
 27 200 blue M30 pills which I know, based on my training and experience, often contain
 fentanyl and a large digital scale.

28 28. Investigators believe this room was shared with Brian LOPEZ and Brian
 29 LOPEZ' brother, Osvaldo Lopez, who when questioned by investigators stated there
 30 were no drugs in the bedroom. Osvaldo Lopez confirmed the room was shared by himself
 31 and Brian LOPEZ. The other two rooms for the house were occupied by Brian LOPEZ'
 32

parents and younger sisters. Investigators also located a firearm in a shared space of the residence.

29. I know, based on my training and experience that the above-described controlled substances are above personal use quantities and are more consistent with distribution quantities. I also know based on my training and experience that a scale is indicative of measuring narcotics for the sale and distribution of narcotics.

30. Based on the above facts, I respectfully submit that there is probable cause to believe that Brian LOPEZ did knowingly and intentionally possess with intent to distribute controlled substances, including methamphetamine and fentanyl, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

~~Salvatore Giampapa,
Complainant
Special Agent, DEA~~

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the defendant committed the offense set forth in the Complaint.

Dated this 14th day of May, 2024.

Brian A. Tsuchida
United States Magistrate Judge